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ANNUAL REPORT
OF THE
MONTANA STATE PLUMBING BOARD

TO THE
GOVERNOR OF MONTANA
HONORABLE FORREST H. ANDERSON

FOR THE
FISCAL YEAR ENDED
June 30, 1970

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State of Montana

State Plumbing Board

STATE CAPITOL
HELENA, MONTANA 59601

July 27, 1970

The Honorable Forrest H. Anderson
Governor
State of Montana
Helena, Montana

Dear Governor Anderson:

In accordance with the requirements of Section 82-4004, RCM, 1947, there is herewith transmitted to you the report of the State Plumbing Board covering the fiscal year ended June 30, 1970.

The Montana State Plumbing Board has two main functions: One, the licensing of qualified applicants as a master plumber or a journeyman plumber and, two, the enforcement of the state plumbing code, which are the minimum requirements set forth by law to cover all new plumbing installations in the state.

In order to enforce the code and provide for adequate inspection a 50¢ fixture fee for every fixture installed under the supervision of a master plumber, is assessed against the master plumbers. However this does not adequately provide for inspection, and it is desirable that the law be changed to have the fixture fee applied on the whole-sale level so that anyone purchasing a plumbing fixture would be paying for an inspection whether a license plumber installed the fixture or an individual installed the fixture on his own home. The revenue collected in fiscal year 1969-1970 from the fixture fee stamps was \$7,814.00. This was a decrease from previous years but is probably due to the lack of money for building. At this time we have but a single plumbing inspector due to the lack of funds.

A master plumber is required by law to deposit with the Board a \$5,000.00 bond to insure the public that their work will meet the minimum requirements of the code. A state plumbers license is required of any person working at the business of plumbing in any incorporated town or city, provided they have met the education requirements set forth by law.

It is recommended that the license law be applicable in all areas of the state, and not just the cities or towns, as out-of-state plumbers come into Montana and work where there is a great deal of building



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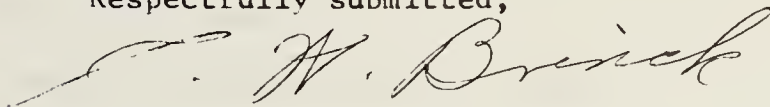
https://archive.org/details/annualreportofb1970mont_0

on the outskirts of towns and do not obtain a license, pay the fixture fee, or post a bond. The law provides that a person may do his own plumbing on his own home but it must meet the code. According to the law all new plumbing work must meet the minimum requirements of the code, however, if a person installs plumbing outside the city limits and is not licensed, there is no penalty for installing the plumbing installation below standards and the code becomes unenforceable.

This past year 337 master and 807 journeyman plumbers were licensed.

The total income from the licensing, fixture fee stamps, code books, and the \$1,800.00 paid by the Water Well Contractors Board for sharing the same office and services rendered was \$28,932.00.

Respectfully submitted,

A handwritten signature in cursive script, reading "C. W. Brinck". The signature is written in dark ink and is positioned below the typed name.

C. W. Brinck, Secretary

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PRINCIPAL OFFICES AND OFFICERS

MONTANA STATE PLUMBING BOARD

OFFICER TERM OF OFFICE	HOME ADDRESS
Roy L. Prussing, Chairman 5-4-68 -- 5-4-72	840 Poly Drive, Billings
Clarence Clapper, Vice Chairman 5-4-67 -- 5-4-71	105 3rd Avenue West, Columbia Falls
C. W. Brinck, Secretary Permanent	1234 Winnie, Helena
Floyd J. Stewart, Master 5-4-70 -- 5-4-74	129 East Park, Butte
Frank Dugaard, Journeyman 5-4-67 -- 5-4-71	Box 173A, Joliet
David Emerson, Journeyman 5-4-70 -- 5-4-71	317 22nd Avenue N.W., Great Falls
Lou Street, Lay Member 5-4-69 -- 5-4-73	1212 Cannon, Helena

PRINCIPAL ADMINISTRATIVE OFFICERS

Claiborne W. Brinck, Director
Environmental Sanitation Division
State Department of Health

Mary L. Date, Office Manager

PRINCIPAL OFFICE

Old St. Peter's Hospital Building, 35 - 11th, Helena
Mailing Address: State Capitol Station

LEGAL REFERENCES

The statues relating to the operations of the State Plumbing Board are contained in Title 66 Chapter 24 Sections 66-2401 through 66-2427, RCM, 1947, amended.

Operating policies necessary to administer statutory requirements are established by the Board.

LICENSING PROGRAM

This law was enacted in 1949 and established the State Board of Plumbing Examiners, Title 66 Chapter 24 Sections 2401 through 2411. A plumbing license was required in towns of 1,000 or more, in 1961 the law was admended to require a plumbers license in any incorporated city or town in the state, and in 1965 was amended requiring certain requirements be met before applicant be allowed to take the examination.

STATE PLUMBING CODE PROGRAM

The law was amended in 1959 and the name was changed to the State Plumbing Board 66-2413, and the National Plumbing Code ASA A40.8-1955 was adopted as the State Plumbing Code with the approval of the Attorney General and the State Board of Health. Section 66-2416.

A \$5,000.00 bond is also required of all master plumbers to insure the public that their work will meet the code, 66-2405. (1961)

FIXTURE FEE PROGRAM

To insure adequate inspection and enforcement of the code Section 66-2418 was amended in 1965 setting up a fixture fee of 50¢ for every fixture installed by a licensed master plumber responsible for setting the fixture. It was not noticed that Section 66-2418 has been repealed by the Legislature of 1963, and since a repealed act cannot be amended the section was void. This mistake was rectified in 1967 by Section 66-2427.

PRINCIPAL GOALS

The Montana State Plumbing Board exists to promote and protect public health and welfare through the regulation of the business of plumbing, and the adoption of the state-wide plumbing code governing the practice of plumbing and establishing minimum requirements for plumbing installations, and to provide inspection and enforcement of the code through the use of the fixture fee.

LICENSES

Licenses must be required throughout the state not just in incorporated cities and towns and there must be a penalty required of any person installing plumbing that does not meet the State Plumbing Code minimum requirements.

CODE AND PENALTY

At the present time a Master Plumber is required to deposit a \$5,000.00 bond with the Board to insure the public that his work will meet the code but a person doing work outside of an incorporated town or city may install plumbing below the minimum requirements. There is no penalty, even though the code is state-wide, therefore the code is only partially enforceable. The health of a person living in the country is just as important as one living in the city. The code insures protection of public health through basic sanitary and safety principles.

INSPECTION

Before adequate inspection can be accomplished it will be necessary to obtain revenue from fixture fees at the wholesale level or possibly by a permit system.

1. [Introduction](#)

MAJOR ACCOMPLISHMENTS

The Montana State Plumbing Board's major accomplishments are to promote and protect public health through the regulation of the business of plumbing by the licensing of the master and journeyman plumbers and by enforcement of the Montana State Plumbing Code, which is the minimum requirements set forth by law. Cities and towns in the state of Montana may have higher standards but none may be lower.

LICENSING

Licenses are required of any person working at the business of plumbing in any incorporated city or town in the state of Montana, either as a Master Plumber or a Journeyman Plumber, or who, while working at the business of plumbing shall connect plumbing to or disconnect plumbing from, a water or sewer system of such a city or town, which serves the public.

The past year, July 1, 1969 - June 30, 1970, 325 master plumber licenses were renewed, and 784 journeyman plumber licenses were renewed.

The master plumber's license renewal fee is \$25.00 per year and the journeyman plumber's renewal fee is \$10.00 per year. These licenses are due a year from the date that their original license was issued to them by the "grandfather clause" or from the date of their examination.

Under the rules and regulations of the Board a thirty day grace period is given and if not renewed within this time the original fee of \$50.00 for the master plumber and \$25.00 for the journeyman plumber must be remitted. If a license is not renewed within a year, the only way a person may obtain a license is by paying the original fee, taking the examination and passing it with a grade of 70% or better.

EXAMINATION

Examinations are always given on a designated Saturday morning in the Department of Aeronautics Building, Helena, Montana. All applicants for the examination must have their application and fee on file ten days before the examination. Admission cards are issued to those who qualify to take the examination.

An applicant for a journeyman plumber must have a specific record of five years in the field of plumbing, this qualification is determined by the Montana State Apprenticeship Council.

An applicant for a master plumber must submit evidence of five years experience as a journeyman plumber must submit evidence of three years experience in supervisory capacities in the plumbing business.

This past fiscal year, twelve new master plumber's licenses and twenty-three new journeyman plumber's licenses were issued. Three journeyman applicants failed the examination.

CODE

The RCM require that all new plumbing installed is to meet the minimum requirement of the State Plumbing Code, which was totally extracted from the National Plumbing Code ASA 40.8-1955, and amended by the State Plumbing Board. The Third Edition was published January 1970. The price of the loose leaf code book is \$5.00. Two hundred forty six Code Books were sold for \$1,230.00 through June 30, 1970, this covers the actual cost of the books.

INSPECTORS

This past fiscal year we had two plumbing inspectors and had hopes of being able to keep both of them, each taking half of the state, but due to the slump in construction in the state, we did not have the funds and almost depleted the account.

According to the law Chapter 24, 66-2427 all fixtures installed by a master plumber in Montana are assessed a fee of 50¢ per fixture, for the purpose of providing adequate inspection and enforcement of the State Plumbing Code.

Because of the plumbing inspection and enforcement of the State Plumbing Code, the people in the state are recipients of good plumbing, which protects the public health.

MAJOR RECOMMENDATIONS

1. PROGRAM: STATE PLUMBER'S LICENSE REQUIRED

LEGISLATION REQUIRED

PRIORITY RATING: 2 of 4

CATEGORY: LICENSE REQUIRED THROUGHOUT THE STATE

Recommendation. Plumber's license be required throughout the state not just in incorporated towns and cities.

Discussion. It is just as important to a person in the country as it is to the person in the city to have their health protected through good plumbing.

2. PROGRAM: FIXTURE FEES

LEGISLATION REQUIRED

PRIORITY RATING: 1 of 4

CATEGORY: ADDING NEW SERVICES 50¢ on all FIXTURES INSTALLED IN THE STATE

Recommendation. Fixture fee of 50¢ per fixture collected at the wholesale level with a possible 5% being returned to the wholesaler. It is estimated that \$30,000-40,000 might be realized if collected at the wholesale level.

Discussion. Since 1965 the licensed master plumber in the state has been assessed 50¢ per fixture for every fixture installed under their supervision regardless of location. The purpose of the fixture fee was to provide adequate inspection and enforcement of the code. If the fixture fee was collected at the wholesale level then all the fixtures installed in the state would pay the 50¢ per fixture and not just the master plumbers. The do it yourselfers and fixtures bought through the mail-order houses would all be paying the same as the master plumber. In this way more revenue would be realized and more plumbing inspectors could be employed. Revenue from the stamps since the law was passed is as follows:

1965-1966	\$10,729.00
1966-1967	8,989.00
1967-1968	8,964.00
1968-1969	9,855.00
1969-1970	7,813.00

In 1968-1969 we had a part-time inspector besides the one full time inspector. Also the first four months of 1969-1970 we had a part-time inspector, but due to the lack of funds we had to go back to

MAJOR RECOMMENDATIONS

the one full time inspector. It is just impossible for one man to cover the state and do the inspection work, collect the fixture fees, sell code books, and do the re-inspection.

It cost approximately \$13,500.00 - 14,000.00 for each inspector per year, this is including travel.

3. PROGRAM: PLUMBING CODE-MINIMUM REQUIREMENTS PENALTY

LEGISLATION REQUIRED

PRIORITY RATING: 3 of 4

CATEGORY: MORE EFFECTIVE ENFORCEMENT

Recommendation. A penalty charged for work that does not meet the code regardless of who installs it and also a charge for re-inspection to insure that the minimum requirements are met.

Discussion. The present law requires that all new plumbing work meet the code, which is the minimum requirements, however the way the law is written it is impossible to enforce as there is no penalty for not meeting the minimum requirements. The do it yourselfer can install the plumbing with no inspection and not meet the code and sell the house to an unsuspecting person who inherits the poor plumbing that could cause sickness and in some cases has caused death from sewer gases, cross connections, typhoid fever, etc. It has been proven that good plumbing protects public health and bad plumbing can destroy health. The code to be effective must be followed by all not just the licensed master plumbers and it must be regardless of location city or country. The Board is not against the home owner who does his own plumbing providing it meets the minimum requirements set forth by the code.

4. PROGRAM: LICENSED PLUMBING INSPECTORS

LEGISLATION REQUIRED

PRIORITY RATING: 4 of 4

CATEGORY: QUALIFIED PLUMBING INSPECTORS FOR CITIES, TOWNS, AND STATE.

Recommendation. A Plumbing inspector in a town of 10,000 or over should meet certain minimum requirements and take an examination to qualify for a plumbing inspector.

Discussion. There are several cities in the state that do not have qualified inspectors and because of this several serious problems could

MAJOR RECOMMENDATIONS

have developed. Since the health of many could be affected by contaminated water through a cross connection or other faulty plumbing it is quite apparent that the plumbing inspector should be qualified. At the present time the state gives examinations to licensed plumbers when there is an inspector opening but it should also be required of the larger cities when they employ inspectors.

ANALYSIS OF PROGRAMS

LICENSING

Services Provided. Any person working at the business of plumbing in any incorporated town or city, either as a master plumber or as a journeyman plumber, or who, while working at the business of plumbing shall connect plumbing to or disconnect plumbing from a water or sewer system of such town or city, shall first secure a state plumbers license.

Objectives. It is the purpose of the Board that all licensed plumbers are qualified and have knowledge of the state plumbing code to protect the health of the people of Montana through good plumbing practices.

Target Group. Any person working at the business of plumbing and the general public benefits because qualified persons are licensed.

Achievements. To determine that licensed plumbers are qualified to serve the public, a journeyman plumber must meet the following requirements before he may take an examination: Have five years of experience in the field of plumbing of a character satisfactory to the Board, and pass an examination. A guide in determining an applicant's qualification for a journeyman is through the Montana Apprenticeship Council. The fee for the Journeyman Plumbers examination is \$25.00.

A master plumber must have five years as a journeyman plumber, evidence of three years in supervisory capacities in the plumbing business and satisfactory completion of an examination. The fee for the master examination is \$50.00.

The examinations are given four times a year. They consist of written questions, some of it is based on the code; practical work including, caulking, and sweating a copper joint; and a drawing showing the plumbing for a building of several stories in height that must be completed with traps, wastes and vent pipes.

Licenses are renewed yearly on the date of issue or a year from the examination. The fee for the renewal of the Master Plumber License is \$25.00, while the Journeyman pays \$10.00 for his renewal. There were 325 master renewals and 12 new master licenses issued during the last fiscal year, and 784 journeyman renewals and 23 new journeyman plumbers licenses issued. There were three journeyman failures. Total income from the licenses for the fiscal year ending June 30, 1970, was \$17,215.00.

ANALYSIS OF PROGRAMS

Cost and Performance Summary.

LICENSING. Total income from licenses which included penalties, failures, and forfeitures.

	1967-68	1968-69	1969-70
COST	\$17,375.00	\$17,340.00	\$17,655.00

STATE PLUMBING CODE

Services Provided. The minimum requirements for plumbing installations are set forth in the State Plumbing Code. This code is totally extracted from the National Plumbing Code ASA A40.8-1955 with the approval of the Attorney General and the State Board of Health. Cities and towns may have higher standards but none may be lower than the minimum as set forth in the code.

Objectives. The main object is to have all plumbing installed within the state to meet the plumbing code. Under law the act does not apply to plumbing installations in mines, mills, smelters, refineries, reduction works, public utilities, manufacturing industries, or plumbing installations on farms having individual water or sewage systems.

Target Group. The code was established to protect public health through proper plumbing installations therefore the target group is everybody in the state of Montana.

Achievements. To protect the public health, all licensed plumbers in the state of Montana must deposit an approved \$5,000.00 bond to insure faithful performance of all plumbing installation according to the state plumbing code. This law has been in effect since 1961 and to date we have not had to go to a bonding company, as all work has been corrected to meet the code, when a violation was brought to the master plumbers attention.

The State Plumbing Code was approved by legislature in 1959, the Second Edition of 500 books were printed in 1966, in January 1970 the Third Edition of 1,000 copies of the State Plumbing Code was printed. In June 1968 a public hearing was held to revise the code and adopt new materials on the market that were not covered by the code. Where deviation occurs from the National Code, ASA A40.8-1955 minimum requirements, the amendments have been officially adopted by the Montana State Plumbing Board at a special meeting October 24, 1968. The cost permitted by law is \$5.00, which is the present charge for the plumbing code. By June 30, 1970, 246 code books were sold for a total of \$1,230.00. The cost was \$3,090.00 for 1,000 code books for the Third Edition.

ANALYSIS OF PROGRAMS

Cost and Performance Summary. STATE PLUMBING CODE.

1967-68	1968-69	1969-70
\$3.00 each	\$3.00 each	\$5.00 each
\$277.00	\$427.00	\$1,230.00

FIXTURE FEE - INSPECTION PROGRAM

Services Provided. To have adequate inspection and enforcement of good plumbing which is important to public health and welfare of the people; a 50¢ per fixture is collected as directed by legislative act from the master plumber for every fixture installed under his direction.

Objectives. The public health and welfare require that minimum standards for planning, installing, altering, extending, repairing and maintaining plumbing systems are set forth in the code for the protection of the people of the state. In order to enforce the code an inspection program is necessary.

Target Group. Master Plumbers mostly, however, anyone desiring an inspection of their plumbing installation may obtain it by requesting the same.

Achievements. Due to the lack of funds collected under the fixture fee law, it is impossible to inspect every installation made by a master plumber. A spot check is made and reports filed on installations checked and the plumbing inspector has a file on the installations where the master plumbers have paid fixture fees. One inspector covers the state about three times a year. Most of his inspection is done in towns and cities that do not have an inspector, he also works with the city inspectors. Fees collected from the sale of fixture fee stamps for fiscal year 1960-1970 was \$7,813.00. This is down from the previous year by over \$2,000.00.

The law should be changed so that the fixture fee will be collected on the wholesale level, and everyone will pay and everyone will be better protected through enforcement of the code as more inspectors could be employed when funds are available. The basic goals in environmental sanitation are the same everywhere and are necessary to protect the health of the people of Montana.

Cost and Performance Summary. FIXTURE FEE - INSPECTION PROGRAM

	1967-68	1968-69	1969-70
COST	\$9,964.00	\$9,855.00	\$7,813.00

PROJECT COSTS BY OBJECT OF
EXPENDITURE AND SOURCE OF FUNDING
1969-70 FISCAL YEAR

STATE PLUMBING BOARD

OBJECT OF EXPENDITURE

Personal Services.	\$20,035.00
Operations	14,083.00
Capital.	227.00
Grants and Benefits.	<u>00,000.00</u>
TOTAL EXPENDED	<u>\$34,345.00</u>

SOURCE OF FUNDING

Earmarked Revenue Fund	\$34,345.00
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TOTAL FUNDING

\$34,345.00

